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Attorney Docket No. 94-018

DECLARATION
AND POWER OF ATTORNEY
CONTINUATION-IN-PART APPLICATION

As below named inventor, I declare that I have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in this Declaration, that the information given herein is true, that I believe that I am the original, first inventor of at least a portion of the claimed invention entitled:

MUTATED RECOMBINANT COLLAGENS

which is described and claimed in:

☐ the attached specification or

☒ the specification in application Serial No. 08/278,774, filed July 22, 1994.

that I acknowledge a duty to disclose information I am aware of which is material to the examination of this application, in accordance with 37 C.F.R. 1.56, that I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application and that as to applications for patent or inventor's certificate filed by me or my legal representatives or assigns in any country foreign to the United States of America, the earliest filed foreign applications(s) filed within twelve months prior to the filing date of this application and all foreign applications filed more than twelve months prior to the filing date of this application, if any, are identified below on Page 4.

CHECK APPROPRIATE BOX:

☒ No earlier-filed foreign applications.

☐ Required information as to related foreign applications filed prior to filing date of this application is presented on pages 3 and 4 below.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

NAME	REGISTRATION NO.	NAME	REGISTRATION NO.
Kathi L. Rafayko	36,644	Shirley L. Church	31,858
Richard A. Osman	36,627	Bertram I. Rowland	20,015
Pamela J. Sherwood	36,677	Robin M. Silva	38,304

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SEND CORRESPONDENCE TO: DIRECT TELEPHONE CALLS TO:

Kathi L. Rafayko
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(201) FULL NAME OF INVENTOR	LAST NAME BERG	FIRST NAME Richard	MIDDLE NAME A.	
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(203) FULL NAME OF INVENTOR	LAST NAME WALLACE	FIRST NAME Donald	MIDDLE NAME G.	
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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize that validity of the application or any patent issuing thereon.

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SIGNATURE OF INVENTOR 201	
<i>Richard D. Bay</i>	
DATE	<i>11/1/94</i>

SIGNATURE OF INVENTOR 202	
<i>Paul D. Towner</i>	
DATE	<i>11/1/94</i>

SIGNATURE OF INVENTOR 203	
<i>Donald H. Wallace</i>	
DATE	<i>October 31, 1994</i>

PRIORITY UNDER 35 U.S.C. 120:

- ☒ Applicant hereby claims the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of prior application(s) and the national or PCT international filing date of this application. In particular, Applicant claims the benefit of priority under 35 U.S.C. §120 for subject matter which is common to the present invention and which was previously disclosed in the application Serial No. 08/183,648, filed on January 18, 1994, which is a continuation-in-part of U.S. Application Serial No. 08/011,643, filed January 28, 1993.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:				
U.S. APPLICATIONS			Status (Check one)	
U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
1. 08/183,648	1/18/94		X	
2. 08/011,643	1/28/93		X	
3.				
PCT APPLICATION DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NOS. ASSIGNED (if any)		
4.				
5.				
6.				

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Berg, et al.

Serial No.:08/278,774

Filed: July 22, 1994

Title: Mutated Recombinant Collagens for Improved Processing

Art Unit: 1804

Examiner: Charles L. Patterson, Ph.D.

Attorney's Docket No.: C94-018

San Francisco, California

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner of Patents and Trademarks at (703) 305-7401 on 4/17/97.

Signature 
Richard Aron OsmanCERTIFICATE UNDER 37 CFR 3.73(b),
REVOCATION AND POWER OF ATTORNEY BY ASSIGNEE

To the Commissioner of Patents and Trademarks:


The undersigned certifies that it is the assignee of the entire interest in the patent application identified above by virtue of: an assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7201, Frame 0434, or for which a copy thereof is attached.

The undersigned hereby revokes all powers of attorney previously granted in connection with this application and appoints Richard Aron Osman, Reg. No. 36,627, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s). Direct all telephone calls to Richard Aron Osman, Ph.D. at (415) 343-4341. Address all correspondence to: Science & Technology Law Group, 268 Bush Street, Suite 3200, San Francisco, California 94104.

The undersigned is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Collagen Corporation

By:  Date: Jan 6/97